

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING – MARCH 4, 2014**

The meeting was called to order at 9:00 A.M. with Commissioners Kessel and Kasian in attendance.

Others present during portions of the meeting were: Fire Chief Rod Job, Deputy Sheriffs Pat Rummel and Jason Kastrow, States Attorney Jay Brovold, Sandra Baertsch, Don Heiser, Anthony Kessel, Paramedic Travis Booke.

After review, Kasian moved to approve the minutes from the February 4, 2014 regular meeting. Kessel seconded. All voted aye.

Auditor Lamb informed the board that Gordon Gerbig's term on the Weed Board will expire at the end of this month. Gordon has agreed to another four year term on the Weed Board. Kasian moved to reappoint Gordon to another four year term. Kessel seconded. All voted aye.

Rod Job, Fire Chief was in attendance to bring the board up to date with what has been done since he began with the rural fire district. He discussed the grants that have been received by the fire district and the equipment that has been purchased and updated. He has been working on updating the standard operating procedures and paperwork and attended the statewide fire chief's association.

Three members of the Fire Board were present, Don Heiser, Sandra Baertsch, and Anthony Kessel. Along with Vice-Chair Joseph Kessel, there was a quorum of the Fire Board. No decisions were made at this meeting. The fire board did present a letter to the commission to review.

Deputy Sheriff Pat Rummel presented the contract from Med Trans Air Medical Transport to the board. This contract was discussed at the February commission meeting. The coverage of Billings County residents was discussed. There will be no cost to any resident for emergency flights from within the county if provided by the Med Trans Air Medical Transport network. Residents may purchase nationwide coverage for their households if they choose to do so. A letter will be mailed to all residents to more fully explain what is included in this coverage. Vice-Chairman Kessel signed the contract.

Discussion ensued regarding coverage for employees and volunteers of the county. Since many employees and volunteers are not residents of the county, they can be covered with nationwide coverage. Deputy Sheriff Rummel will bring a contract for County employee and volunteer coverage to the next meeting. Kessel moved to approve funding the coverage for employees and volunteers of the county at the nationwide coverage rate of \$50.00/employee or volunteer. Kasian seconded. All voted aye.

The board then reviewed the 911 landline and wireless funds which are used to pay for dispatch of emergency services and state radio services. Kasian moved to approve the resolution and measure for the 2014 ballot measure to ask Billings County voters to increase the landline and wireless fees to \$1.50 to fully fund the services for the next six years. Kessel seconded. All voted aye. The resolution and measure state as follows:

2014-12

**BILLINGS COUNTY, NORTH DAKOTA
RESOLUTION TO INCREASE THE EXISTING
EMERGENCY SERVICES COMMUNICATIONS (9-1-1) FEE**

WHEREAS, the emergency services communication (9-1-1) system is critical to public safety in Billings County; and

WHEREAS, the monthly fee on "assessed communications services" (telephone exchange access service, wireless service, active prepaid wireless service, and voice over internet protocol service) imposed pursuant to North Dakota Century Code 57-40.6 is essential to the operation and maintenance of the emergency services communication system (9-1-1); and

WHEREAS the current fee limited to \$1.00 per month per "communication connection" (telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation) was implemented by resolution of this board and approved on June 10, 2008 by the voters of Billings County;

WHEREAS the revenue from the current fee is insufficient to adequately fund the maintenance and operations of the emergency services communications (9-1-1) system, it is proposed that the fee maximum be increased to \$1.50 per "assessed communication service" however the county commission could impose an amount less, but no more than that maximum; and

WHEREAS, North Dakota Century Code section 57-40.6-02 provides a process of imposing 9-1-1 fees by governing board resolution and approval of the voters.

THEREFORE, BE IT RESOLVED that the Billings County Board of Commissioners proposes an increase of the existing monthly fee, and directs that the following measure be placed on the county ballot for the statewide primary election scheduled for June 10, 2014 and shall become effective August 1, 2014.

BE IT FURTHER RESOLVED, that the fee shall be collected by the “assessed communications service providers” and paid to the County within thirty (30) days after collection from the subscriber or customer unless the provider has fewer than ten subscribers or customers in a jurisdiction, in which case the provider may pay the proceeds quarterly. An assessed communications service provider may retain the actual costs of administration in collection of the fee, not to exceed five percent of the fee collected.

Dated this 4th day of March, 2014

Approved:

Attest:

County Commission Vice-Chairman

County Auditor

Billings County Measure #1

Should the current emergency services communication (9-1-1) fee not to exceed \$1.00 per month per “communication connection” (telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation) for the operation and maintenance of the 9-1-1 emergency services communications system be increased to a maximum (not to exceed) \$1.50 per month?

Voter approval would allow a fee, not to exceed \$1.50 per month per “communication connection” to become effective August 1, 2014, with the revenue dedicated to maintaining and operating the emergency services communication (9-1-1) system as required by State law.

- ☐ YES
- A “YES” vote means you approve the proposed increase of the fee to \$1.50 per month
- ☐ NO
- A “NO” vote means you do not approve the fee increase and it would remain at \$1.00 per month

The board reviewed zoning requests that had been addressed by the zoning board at their February 20, 2014 regular meeting and February 27, 2014 special meeting as follows:

Laura Grzanic: Application and variance for a 225’ long fence 8’high. This fence would replace trees and shrubs that are being removed for construction on 38th Street SW. The zoning board approved this application and variance but had concerns of the view shed and stated they wanted the commission to review with the road superintendent. Jeff Iverson, Road Superintendent was present to discuss this application and stated that there would not be an obstruction of the view from the road. Kasian moved to uphold the zoning board decision with no concerns of obstruction. Kessel seconded. All voted aye.

Joe & Verena Fischer: Application for a conditional use permit to place a manufactured home on an existing farmsite in the SW1/4 8-142-98 (1988 125th Ave SW). Property is zoned agricultural. This will be the third manufactured home on the property. The setbacks are in line. The zoning board approved the conditional use permit. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

Steve Klym: N1/2NE1/4 22-140-100. One year extension to his conditional use permit to have 3 RV’s on this property. The zoning board approved the extension of one year. Kasian moved to uphold the zoning board decision. Kessel seconded. All voted aye.

The board received and approved the following permits with road superintendent conditions:

Construction in County Right-of-Way Permits

- Midstate Telephone Co. – Sections 7,8,9,10,11,12-139-100 along 38th Street SW
- Roughrider Electric Co. – Section 3-139-102 along East River Road.
- Roughrider Electric Co. – Section 20,21 & 28-141-98 along 124th Ave SW & 28th St SW
- Tesoro – Section 8-143-100 along Blacktail Road

The board reviewed an application for abatement for 100% veterans credit for Curt Romanyshyn on the S1/2 28-144-98. Kessel moved to approve the abatement. Kasian seconded. All voted aye.

The board reviewed the annual contract from the state for reimbursement of Clerk of Court services. Kasian moved to approve the continuation of the state reimbursing the county for clerk services. Kessel seconded. All voted aye.

Road superintendent Jeff Iverson presented the updated fleet rates which must be charged at the Department of Transportation guidelines for each piece of road equipment used in the county. Kasian moved to approve the Billings County fleet rates. Kessel seconded. All voted aye.

Discussion ensued regarding the increased costs of gravel and scoria crushing in the county and the limited availability of both for the future. After reviewing royalty and crushing costs, Kasian moved to increase the Billings County rate to \$7.50/cubic yd for scoria and \$8.50/cubic yd. for gravel. Kessel seconded. All voted aye.

After review of a declaration prepared by States Attorney Brovold for Laura Grzanic, Vice-chairman Kessel signed.

Justin Hyndman with KLJ was present for the monthly engineers report.

Kayla Torgerson with KLJ was present to update the board on the Little Missouri River Crossing project.

The board recessed from 12:30 to 1:30 P.M.

Road Superintendent Jeff Iverson was present to update the board on road projects in the county.

Deputy Sheriff Pat Rummel, Sheriff Dave Jurgens, Recorder/Clerk of Court Donna Adams and Tax & Zoning Director Stacey Swanson were present, and along with Auditor Lamb discussed the Billings County sick leave donation policy. To clarify the policy, it was requested to state that any individual wishing to donate to the sick leave bank must leave themselves 120 hours of sick leave. Any individual requesting sick leave from the sick leave bank must first use all of their accrued sick leave and must use their vacation time as well but may retain 80 hours of vacation. Kasian moved to approve the policy as stated. Kessel seconded. All voted aye.

The board approved the revenue vouchers for the month of February: Recorder \$8,302.00; Zoning \$1,000.00; Court \$270.50; Sheriff \$32.00.

Revenues for materials and/or services rendered in February: Jerry Anheluk \$291.75 gravel & hauling; Steier Oil Field Service \$16.43 water; Weed Board: Dakota Prairie US Forest Service \$111,627.05 spraying.

Revenues for the month of February: City of Medora \$134,187.36 ambulance, shop rental & tax assessor fees; City of Belfield \$25,000.00 paramedic; Stark County \$25,000.00 paramedic; Financial Institution Tax \$5,663.78; Ambulance Services \$1,771.63; Highway Tax Distribution \$21,691.94; Oil & Gas Production Tax \$247,516.75; Interest \$2,554.95; Sheriff \$47,820.00 permits/fees; Royalties \$61,463.07

The following claims were approved for payment:

PAYEE	EXPLANATION	CHECK #	AMOUNT	DEPT
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	007137	\$ 2,533.90	1, 2, 3, W, G
N.D. P.E.R.S.	Health Insurance Premium	007138	\$ 40,000.54	1, 2, 3, W, G
Advanced Business Methods	Recorder – Copier Contracts	007139	\$ 1,530.42	
Alternative Sanitation	Waste Removal	007140	\$ 220.00	1, 2, 3, W
American Welding & Gas	Shop Equipment	007141	\$ 2,203.58	2
AmeriPride Linen Service	Mat Rental	007142	\$ 223.66	2, 3
Applied Concept, Inc.	Sheriff – Equipment	007143	\$ 2,467.50	
A T & T Mobility	Cellular Service	007144	\$ 72.23	1
AVI Systems	Courtroom – Sound System	007145	\$ 16,871.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	007146	\$ 8,520.29	1, 2, 3
Best Energy	Propane	007147	\$ 22,834.50	1, 2, 3, G
Billings County Rural Fire District	Taxes	007148	\$ 31,235.17	
Billings County Historical Society	Taxes	007149	\$ 2,049.65	
Billings County Pioneer	Publishing	007150	\$ 1,566.97	3, G
Billings County School District	Taxes	007151	\$ 415,383.08	
Bismarck Tribune	Subscription	007152	\$ 300.00	
Blue Cross Blue Shield of N.D.	Cobra Dental Premium	007153	\$ 29.90	
Buckman, Brian	Tax Refund	007154	\$ 677.45	
Brooks & Associates, C. E.	Land Use Plan	007155	\$ 7,485.27	
Brooks & Associates, C. E.	Land Use Plan	007156	\$ 79.50	
Carpenter Law Offices	2013 – W-2 Advisory Service	007157	\$ 344.00	
Cerkoney, Cathy	Zoning Meeting – Mileage	007158	\$ 84.55	
Channing Bete Co.	Ambulance – Training Supplies	007159	\$ 2,094.44	
Comfort Inn – Bismarck	Travel Expenses	007160	\$ 444.00	
Comfort Suites – Bismarck	Tax Director – Travel Expense	007161	\$ 74.00	
Creative Energy	Diesel Fuel & Supplies	007162	\$ 26,193.78	1, 2, 3
Dakota Farm Equipment, Inc.	Parts & Supplies	007163	\$ 285.26	1
Dakota Filter Supply	Parts & Supplies	007164	\$ 244.20	1
Dan Tool & Machine, Inc.	Parts & Supplies	007165	\$ 220.00	1
Dan’s Interstate Conoco	Sheriff – Gas	007166	\$ 64.00	
Darby’s Welding & Machine	Machine Work	007167	\$ 266.08	2

Deans Distributing	Shop Supplies	007168	\$	2,918.55	3
Dell Marketing, LP	Courthouse – Microsoft Licenses	007169	\$	374.90	
DF Lighting Co.	Courthouse – Lighting Supplies	007170	\$	368.70	
Diamond Truck Equipment	Tool Box – Sign Truck	007171	\$	190.00	1, 2, 3
Dickinson Public Library	Library Service	007172	\$	4,067.68	
Dickinson Tire, Inc.	Ambulance – Oil-x & Tire Repair	007173	\$	138.13	
DJ’s Tesoro	Sheriff – Gas	007174	\$	14.10	
Donut Hole	Ambulance – Training Expense	007175	\$	15.99	
Duletski, John & Nancy	38 th ST SW Right-of-Way	007176	\$	117,999.70	3
Electronic Communications	Sheriff – Radio Expenses	007177	\$	490.00	
Elkhorn Cafe	Ambulance – Training Expense	007178	\$	283.50	
Fastenal Company	Shop Supplies	007179	\$	103.25	2
Gall’s, Inc.	Sheriff – Uniforms	007180	\$	82.28	
George’s Tire, LTD	Tire Tube	007181	\$	22.00	3
Golden Valley County	Social Services & Bldg. Remodel	007182	\$	8,594.53	
Grosulak, Thomas N.	Scoria Lease Agreement (Lost Check)	007183	\$	125.00	1
Grzanic, Laura	38 th ST SW Right-of-Way	007184	\$	6,680.00	3
Hedahl’s Parts Plus	Shop Supplies	007185	\$	49.90	1
Heiser Electric, Don	Courthouse – Lighting Repair	007186	\$	699.97	
Hidden Springs Java	Ambulance – Training Expense	007187	\$	96.00	
HR Collaborative	D.E.M. & Auditor – Conference Fees	007188	\$	300.00	
J and J Operating, LLC	Parts & Repairs	007189	\$	962.15	3
J P Steel & Supply, Inc.	Iron Supplies	007190	\$	608.77	1, 2
Jamestown Communications	Radio Repair	007191	\$	72.50	1
Jeff’s Towing	Sheriff – Oil-x & Service	007192	\$	54.95	
Jilek, Jessica	Tax Refund	007193	\$	295.52	
Just-In Glass	Ambulance – Windshield	007194	\$	223.57	
Kadrmass, Lee, & Jackson, Inc.	Engineering	007195	\$	60,329.64	1, 2
Kasian, Connie	Zoning Meeting – Mileage	007196	\$	78.90	
Kasian, Michael E.	Commissioner – Mileage	007197	\$	166.68	2
Kessel, Andrew	Tax Refund	007198	\$	711.83	
Kessel, Anita F.	Zoning Meetings – Mileage	007199	\$	180.40	
Kessel, Joseph L.	Zoning & Commissioner - Mileage	007200	\$	177.78	1, G
Krogh, Margaret	Council on Aging – Mileage	007201	\$	307.36	
Krush, Paul	Zoning Meetings – Mileage	007202	\$	184.92	
Lapp, Colleen	Election Training – Travel	007203	\$	45.50	
Mac’s, Inc.	Shop Supplies	007204	\$	14.11	2
Malkowski, Kasey & Darnyl	Tax Refund	007205	\$	519.70	
Medora Convenience	Ambulance – Training Expense	007206	\$	17.27	
Medora, City of...	Taxes	007207	\$	21,728.88	
Menards – Dickinson	Ambulance – Washer & Dryer	007208	\$	1,228.72	
Mid-American Research Chemicals	Courthouse – Maintenance Supplies	007209	\$	66.13	
Midstate Telephone Company	Courthouse – Telephone Service	007210	\$	934.97	
Midwest Doors, Inc.	D.E.M. – Garage Door Openers	007211	\$	2,340.40	
Missouri Valley Petroleum, Inc.	Medora Keytrol – Gas Fill, etc.	007212	\$	6,220.06	3, G
Motorola Solutions	Sheriff – Radio’s	007213	\$	3,182.40	
N.D. Association of Counties	Taxes	007214	\$	87.80	
N.D. Clerk’s Association	Clerk of Court – Membership Dues	007215	\$	60.00	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	007216	\$	200.00	
N.D. Emergency Mgmt. Association	D.E.M. – Membership Dues	007217	\$	50.00	
N.D.P.E.R.S.	Golden Valley – Health Insurance	007218	\$	3,451.68	
N.D. State Treasurer	Clerk of Court Fees	007219	\$	7,434.27	
N.D. State’s Attorney Association	State’s Attorney – Membership Dues	007220	\$	300.00	
NDACO Directory Sales	Recorder – Official Directories	007221	\$	90.00	
NDACO Resources Group, Inc.	Courthouse – Tech. Mgmt. Contract	007222	\$	1,392.63	
NDACO Resources Group, Inc.	Sheriff – Garmin GPS Receiver	007223	\$	483.33	
Nelson International	Parts & Supplies	007224	\$	19.10	3
Newby’s Ace Hardware	Shop Supplies	007225	\$	84.12	2, 3
Northern Improvement Co.	West River Road	007226	\$	36,519.62	3
O’Brien Oilfield Service, LLC	Iron Supplies	007227	\$	23.50	3
O’Brien, Tyler	Courthouse – Maintenance Supplies	007228	\$	330.00	
Off Road Software, Inc.	Tax Director – Software Support	007229	\$	695.00	
O K Tire Stores	Tires	007230	\$	7,650.03	3
Parkway Ford	Parts & Repairs	007231	\$	1,213.07	1
Pemberton, Juliana	Tax Director – Travel Expense	007232	\$	213.07	
Postmaster	Ambulance – P O Box Rental	007233	\$	48.00	
Pump Systems, Inc.	Water Truck – Repair	007234	\$	7,460.94	2
Putnam, Karen	Zoning Meetings – Mileage	007235	\$	92.26	
R & R Auto Farm & Electric	Parts & Repairs	007236	\$	59.50	2
RDO Equipment Co.	Parts & Supplies	007237	\$	1,185.38	3
Respond Systems	Courthouse – Maintenance Supplies	007238	\$	74.37	3
Richard, Byron & Kathleen	Gravel Lease Agreement	007239	\$	750.00	1, 2
Roughrider Electric Cooperative	38 th ST SW – Contractor	007240	\$	34,959.63	3
Roughrider RV’s	Parts & Supplies	007241	\$	23.92	2
Roughrider Speed Center	Sheriff – Super Chips	007242	\$	819.98	
Rudy’s Lock & Key	Sheriff – Install Locks	007243	\$	630.00	
Runnings Farm & Fleet, Inc.	Parts & Supplies	007244	\$	907.49	1, 2, 3
Sadowsky & Son, Inc., G.A.	Shop Supplies	007245	\$	136.50	1
Sax Motor Co.	Sheriff & Ambulance – Repairs	007246	\$	1,078. 50	
Sax Motor Co.	Sheriff – 2014 Chevrolet Truck	007247	\$	17,091.00	
Seven Seas Best Western	Weed – Weed Convention	007248	\$	224.10	
Simmioniw, Les	Weed – Registration Fees	007249	\$	50.00	
Southwest Business Machines	Office Supplies	007250	\$	4,042.40	3, G
Southwest Multi-Co. Correction Ctr.	Sheriff – Prisoner Care	007251	\$	3,521.54	
Southwest Water Authority	Water Usage	007252	\$	267.93	1, 3, W
Southwest Water Authority	Taxes	007253	\$	7,434.27	
Southwestern District Health Unit	Taxes	007254	\$	24,334.28	
St. Joseph’s Hospital	Ambulance – Supplies	007255	\$	2.16	
Stein’s, Inc.	Courthouse – Maintenance Supplies	007256	\$	440.20	
Summit Equipment Outlet, LLC	Sign Truck – Air Compressor	007257	\$	6,490.00	1, 2, 3

Swanson, Stacey	Tax Director – Travel Expense	007258	\$	308.90	
Swanston Equipment Corp.	Sand Spreader	007259	\$	17,433.00	1
Tczap, John	Zoning Meetings – Mileage	007260	\$	90.00	
Texas Refinery Corp.	Shop Supplies	007261	\$	306.00	2
TMI Storage Systems, Inc.	Auditor – Locks Installed	007262	\$	327.00	
Tom’s Heating Service	Shop Supplies	007263	\$	146.00	1
Tom’s Service Center	Sheriff – Service, Diesel Fuel	007264	\$	469.40	3, G
Tyler Technologies, Inc.	Auditor – Payroll Set-Up Training	007265	\$	11,028.50	
U. P.S. Store	Shipping – Radio Repair	007266	\$	48.75	1, G
Uniform Center	Sheriff – Uniforms	007267	\$	71.99	
University of North Dakota	Auditor – Officials Directory	007268	\$	22.00	
Verizon Wireless	Cellular Service	007269	\$	1,079.30	2, 3, G
Vogel Law Firm	Land Use Plan	007270	\$	2,728.00	
Wal-Mart	Courthouse – Maintenance Supplies	007271	\$	83.40	
Wallwork Truck Center	Parts & Supplies	007272	\$	203.76	1
Watchguard Video	Sheriff – Recorder Unit	007273	\$	5,225.00	
West Dakota Oil, Inc.	Drum Oil & Gas	007274	\$	3,828.46	1, 3
Westlie Truck Center	Parts & Repairs	007275	\$	4,668.35	2, 3
Zoll Medical Corp.	Ambulance – Medical Supplies	007276	\$	294.81	
N.D.P.E.R.S	Retirement	007280	\$	28,236.34	1, 2, 3, W, G
Century Link	Telephone Service	007284	\$	521.74	1, 2, 3, W, G
Consolidated	Internet Service	007285	\$	232.19	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	007286	\$	83.00	
Information Technology Dept.	S. O. – T-1 Line	007287	\$	479.60	
Medora, City of....	Courthouse – Utilities	007288	\$	197.64	
Reservation Telephone Cooperative	Telephone Service	007289	\$	42.24	2, 3, G
Roughrider Electric Cooperative	Electricity	007290	\$	3,609.00	1, 2, 3, W, G
Trans-Med Corporation	Medical Air Flight Contract	007291	\$	4,752.00	
U. P. S. Store	Shipping – Radio Parts	007292	\$	13.98	1
Visa	Ambulance – Supplies, etc.	007293	\$	<u>1,255.50</u>	
Visa	Ambulance – Training Expenses, etc.	007294	\$	1,240.36	

Payroll in the following amounts were approved for February: General Fund \$121,560.13; Road and Bridge Fund \$95,205.83; Weed Fund \$4,682.45.

With there being no further business, Kasian moved to adjourn the meeting 4:00 P.M. Kessel seconded. All voted aye.

Joseph Kessel, Vice-Chairman

Attest: _____

Marcia Lamb, Auditor/Treasurer